

Exhibit H

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

- - -

Tony Fisher, aka)
Kellie Rehanna,)
Plaintiff,)
vs.)
Federal Bureau of)
Prisons, et al.,)
Defendants.)

Case No. 4:19CV1169
Sara Lioi, J.

- - -

Deposition of Elizabeth Stahl, M.D., a witness
herein, called on behalf of the plaintiff for oral
examination, pursuant to the Federal Rules of Civil
Procedure, taken before Karen A. Toth, Notary Public
in and for the State of Ohio, via Zoom, on
Wednesday, July 21, 2021, commencing at 9:01 a.m.

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1 and approval over the past ten years;" is that
2 the question?

3 Q Yes. Thank you.

4 A So from what I understand we have been trying
5 to follow the WPATH criteria. And while the
6 WPATH specifically references the expectation
7 that gender-affirming therapy is provided at
8 all institutions, there have been patients who
9 just have not been able to meet all of the
10 WPATH criteria.

11 So from what I understand we have not
12 had -- and using your terminology -- a patient
13 who has been ripe for the gender-affirming
14 therapy. I am not aware of any case who has
15 been submitted to the medical director's
16 office for review of a gender-affirming
17 procedure to this date.

18 Q And that determination would be by the medical
19 director based upon the evaluation done by the
20 TEC?

21 A So the medical director would have final
22 clinical authority over the decision to pursue
23 gender-affirming surgery by policy because
24 it's considered an extraordinary type of
25 surgery. So very similar to a solid organ

1 that have been challenging for most patients
2 to be considered meeting all the requirements
3 of WPATH. One, if there are co-existing
4 medical or mental health conditions they need
5 to be reasonably controlled before a surgeon
6 will pursue gender-affirming surgery; 12
7 continuous months of hormone levels that are
8 at goal, to meet the patient's goals. So when
9 it's a trans they usually would need to be at
10 12 continuous months of at goal hormone
11 levels. That can sometimes be a problem for
12 some patients who are often noncompliant with
13 treatment, forget to pick up their meds,
14 sometimes they hoard their meds and stop
15 taking them without telling anyone. So that's
16 a challenge.

17 Being able to provide a
18 gender-affirming experience in a opposite
19 institution -- so for a trans female to be
20 able to be located, transferred to a female
21 institution for 12 continuous months without
22 running into trouble, security issues with
23 other prisons I know has been a challenge at
24 times.

25 Those are probably the main factors I

1 would suspect that have contributed to not
2 being able to meet all of the WPATH criteria.

3 And lastly maybe my -- another thought
4 is that surgeons require letters of support
5 for these procedures; one from a mental health
6 worker and one from a medical provider. And
7 so if there are noncompliance issues between
8 the patient or if there is distrust issues
9 between the treatment modality, if you will,
10 that also will lead to further pause.

11 And again I will bring up the medical
12 transplant of solid organs. While everyone
13 agrees that at the end of your liver's lifetime
14 that you would only live if you get a liver,
15 that certainly is something that we recognize
16 as necessary, but it doesn't mean that
17 everyone is actually going to get that liver.

18 So while we recognize the medical
19 necessity we certainly recognize that it does
20 not entitle someone for that procedure.

21 So I know that was a long winded
22 answer.

23 Q No, it was very informative and I appreciate
24 it because you answered a lot of the questions
25 that I have.

1 State of Ohio,)
 2 County of Cuyahoga,) SS: CERTIFICATE

3 I, Karen A. Toth, Notary Public in and for the
 4 State of Ohio, duly commissioned and qualified, do
 5 hereby certify that the within named witness,
 6 Elizabeth Stahl, was by me first duly sworn to
 7 testify the truth, the whole truth, and nothing but
 8 the truth in the cause aforesaid; that the testimony
 9 then given by her was by me reduced to
 10 stenotypy/computer in the presence of said witness,
 11 afterward transcribed, and that the foregoing is a
 12 true and correct transcript of the testimony so
 13 given by her as aforesaid.

14 I do further certify that this deposition was
 15 taken at the time and place in the foregoing caption
 16 specified and was completed without adjournment

17 I do further certify that I am not a relative,
 18 counsel, or attorney of either party, or otherwise
 19 interested in the event of this action.

20 IN WITNESS WHEREOF, I have hereunto set my
 21 hand and affixed my seal of office at Cleveland,
 22 Ohio on this 5th day of August, 2021.

23 *Karen A. Toth*

24 Karen A. Toth, Notary Public in
 25 and for the State of Ohio.
 My Commission expires May 6, 2023.

